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60,246-258; 10781

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tobias Sienel
Serial No.: 10/725,732 Art Unit: 3753
Filed: 12/02/2003 Examiner: Ciric, Ljiljana V.
Title: **FREEZE PROTECTION FOR HEAT PUMP SYSTEM**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

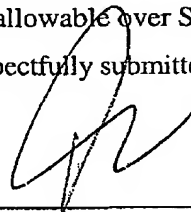
SUPPLEMENTAL AMENDMENT

Dear Sir:

On January 5, 2007, applicant submitted an Amendment, along with a petition to revive the above-referenced application. In the Amendment, attached to the Petition, applicant amended the claims, and argued the rejection of the claims over the prior patent to Kuroki, et al. However, the examiner had also rejected claims over the Smith, et al. U.S. Patent 2,461,449. Applicant inadvertently did not argue this rejection.

Applicant now notes that Smith, et al. cannot meet the claims, and in particularly the claims as amended. Smith, et al. discloses a device for operating a water well. Smith, et al. does not have any sort of pump that is operable when the heat pump is "off." In sum, Smith, et al. is even less relevant than Kuroki, et al., and the claims are allowable over Smith, et al.

Respectfully submitted,



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Dated: January 12, 2007

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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number (571) 273-8300, on January 12, 2007.


Laura Combs